

**DEPARTMENT OF MINES, MINERALS AND ENERGY  
DIVISION OF MINED LAND RECLAMATION**

**GUIDANCE MEMORANDUM<sup>1</sup> No. 3-92**

**Issue Date:** April 21, 2008

**Subject:** Updating Ownership and Control Information  
(issued 4/28/92, updated 10/1/01 & 04/21/08)

The Division must verify the company's eligibility to conduct coal surface mining operations through its permit records and the Applicant Violator System (AVS) whenever the legal structure of a permittee changes.

To delete the name of an owner, officer, director, principal stockholder, or other company official from the Division's record, the permittee must submit an affidavit, notarized letter, or notarized Board resolution describing the change. The document should specify the effective date of the change.

The permittee would also need to submit an application to update the permit records. To add or delete the names of the owners, officers, directors, principal stockholders, or other company officials, the permittee would need to submit –

- **DMLR-PT-034p**, for changes to the permittee's ownership and control.
- **DMLR-PT-034o**, for changes to the operator's (contractor) ownership and control.

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<sup>1</sup> This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

"In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code."